

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Michael P. Deutsch,

Civil No. 05-1258 JRT/FLN

Plaintiff,

v.

ORDER

Jo Anne B. Barnhart,
Commissioner of Social Security,

Defendant.

Edward C. Olson, **OLSON LAW OFFICE**, 442 Wells Fargo Midland Building, 401 Second Avenue South, Minneapolis, Minnesota 55401, for plaintiff.

Lonnie F. Bryan, **OFFICE OF THE UNITED STATES ATTORNEY**, 600 United States Courthouse, 300 South 4th Street, Minneapolis, Minnesota 55415, for defendant.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation (Docket No. 20) by United States Magistrate Judge Franklin L. Noel dated June 28, 2006, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's motion for summary judgment [#14] is DENIED; and
2. Defendant's motion for summary judgment [#17] is GRANTED.

DATED: August 7, 2006.
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge